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Attorney for Defendant
JACOB JACOBSEN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACOB JACOBSEN,

Defendant.

Case No. 1:22-cr-00304-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL
ACT; AND ORDER

PROPOSED DATE: May 22, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

This case is scheduled for a status conference on February 14, 2024. The parties have agreed to move this hearing to May 22, 2024.

Plaintiff, by and through its counsel of record, and defendant by and through his counsel of record hereby stipulate as follows:

1. By previous order this matter was set for a status conference hearing on February 14, 2024.
2. By this stipulation, the parties agree that the next status conference be scheduled for May 22, 2024, and to exclude time between those two dates.
3. The parties agree, and request that the Court find the following:
 - a. A continuance is required to permit defense experts to conduct a thorough review of the case.

b. The parties anticipate that a change of plea date will be scheduled before the next status conference date but are still in negotiations concerning the specifics of a potential plea agreement.

c. Both parties consent to this continuance and agree that time should continue to be excluded under the Speedy Trial Act up to and including May 22, 2024 for purposes of defense preparation and settlement negotiation.

4. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 14, 2024, to May 22, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED:

PHILLIP A. TALBERT
United States Attorney

DATED: 2/5/24

/s/ David Gappa
DAVID GAPPA
Assistant United States Attorney
Attorney for Plaintiff

DATED: 2/5/24

/s/ Douglas Foster
DOUGLAS C. FOSTER
Law Offices of Douglas C. Foster
Attorney for Defendant
JACOB JACOBSEN

ORDER

IT IS SO ORDERED. The status conference currently scheduled for February 14, 2024, at 1:00 p.m. is hereby continued to **May 22, 2024, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. The time period from February 14, 2024, to May 22, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: **February 5, 2024**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE